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PHA 6109 (3115/1)  
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Richard A. Mueller  
Serial No. 09/249,220  
Filed February 12, 1999  
Confirmation No. 9695  
For USE OF N-SUBSTITUTED-1,5-DIDEOXY-1,5-IMINO-D-GLUCITOL  
COMPOUNDS FOR TREATING HEPATITIS VIRUS INFECTIONS  
Examiner Fredman

October 29, 2003

LETTER TO THE PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS,

SIR:

This letter is in response to the Office communication dated September 29, 2003 regarding the subject application.

As a preliminary matter, it is noted that the Office communication refers to a "reply filed on August 25, 2003." However, no reply was filed on this date. On October 15, 2001, Applicants' undersigned attorney filed a response to the restriction requirement dated September 13, 2001. A copy of this response was faxed to Examiner Fredman on August 7, 2003.

In response to the September 29, 2003 communication, Applicants elect the species corresponding to a method for treating a hepatitis virus infection in a mammal comprising administering to said mammal N-(n-nonyl)-1,5-dideoxy-1,5-imino-D-glucitol. Claims 1-3, 7-11, 15-19, 23-27, 31-35, 39-42, 46-51, 55-62, 66-71, and 75 read on the elected species.

The Commissioner is requested to charge any fee deficiency or credit any overpayment to Deposit Account No. 19-1345.

Respectfully submitted,

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